

III. Remarks

A. Status of the Application

Claims 1-26 were previously pending.

Claims 27 and 28 have been added.

As a result, claims 1-28 are pending, with claims 13-16 and 21-26 withdrawn from consideration.

B. Restriction Requirement

The Office Action mailed September 29, 2009, requires restriction under 35 U.S.C. §121 to one of the following groups of claims:

- I. Claims 1-12 and 17-20, drawn to a sample arraying/assembling device with a distribution section and a method of distributing samples;
- II. Claims 13-16 and 21-23, drawn to a sample arraying/assembling device with detachable components and a method of assembling components;
- III. Claim 24, drawn to a wound body;
- IV. Claim 25, drawn to a sample arraying/assembling device comprising an assembly body; and
- V. Claim 26, drawn to a sample arraying/assembling device having a translucent or semitranslucent pipette tip and an optical acquisition section.

Applicants hereby elects with traverse, for prosecution herein, the claims of Group I, that is, claims 1-12 and 17-20.

New claims 27 and 28 depend from and include the subject matter of claim 1. New claims 27 and 28 read on Group I.

If the Examiner maintains as final the restriction requirement between the claims of Groups I, II, III, IV and V as noted above, Applicants will take the position that the Examiner has admitted one group of claims to be patentable over the other groups of claims, and that any prior art must be closer to the elected group than the non-elected groups to render the elected group unpatentable.

C. Conclusion

It is believed that all matters set forth in the Office Action mailed September 29, 2009, have been addressed. Favorable consideration and an early indication of the allowability of the elected claims are respectfully requested. Should the Examiner deem that an interview with Applicants' undersigned attorney would expedite consideration of the elected claims, the Examiner is invited to call the undersigned attorney at the telephone number indicated below.

Respectfully submitted,



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